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PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

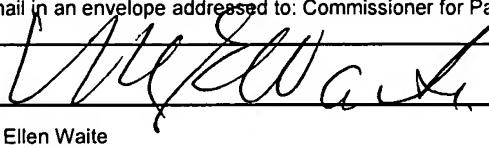
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <b>MAY 29 2007</b> <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/647,361	
		Filing Date	08/25/2003	
		First Named Inventor	Mark L. Weiss	
		Art Unit	1632	
		Examiner Name	Thaian Ton	
Total Number of Pages in This Submission		10	Attorney Docket Number	KSURF-08401

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Request from Examiner
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	
<p>The following communication is a Response to Request from Examiner. Applicant believes no fee is required. If additional fees are necessary, the Applicants hereby authorize the Commissioner of the Patent and Trademark Office to charge Attorney Docket Account No. 08-1290, referencing Attorney Docket No.: KSURF-08401 when charging Attorney Deposit Account.</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	MEDLEN & CARROLL, LLP	
Signature		
Printed name	Robert A. Goetz	
Date	May 24, 2007	Reg. No. 55,210

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Mary Ellen Waite	Date May 24, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENT**  
Attorney Docket No. **KSURF-08401**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Mark L. Weiss**  
Serial No.: **10/647,361** Group No.: **1632**  
Filed: **08/25/2003** Examiner: **Thaian Ton**  
Entitled: **Cultures, Products and Methods Using Stem Cells**

**RESPONSE TO REQUEST FROM EXAMINER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.

Date: 5-24-07

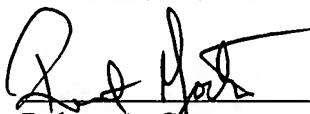
By: Mary Ellen Waite

Mary Ellen Waite

Examiner Ton:

This communication is in Response to Notice of NonCompliant Amendment mailed November 6, 2006. A Response to the Notice of NonCompliant Amendment mailed November 6, 2006 was filed on December 6, 2006. The Applicants received a receipt postcard from the USPTO on December 11, 2006. In a telephone conversation on May 17, 2007 between the Examiner and Robert Goetz, the Examiner requested that the Applicants resend the December 6, 2006 Response as it was never forwarded to her. The Applicants provide a photocopy of the receipt postcard and a photocopy of the Response filed December 6, 2006. Should the Examiner believe that a telephone interview would aid in the prosecution of this application Applicants encourage the Examiner to call the undersigned collect at (608) 218-6900.

Dated: 5-24-2007



Robert A. Goetz  
Registration No. 55,210

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
608.218.6900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I In re Application of: Mark L. Weiss *et al.*

Serial No.: 10/647,361

Group No.: 1632

Filed: 08/25/03

Examiner: Thaian Ton

Entitled:

Cultures, Products And Methods Using Stem Cells

AMENDMENT TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
<p>I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p>	
Date: December 6, 2006	By:  Mary Ellen Waite

Sir or Madam:

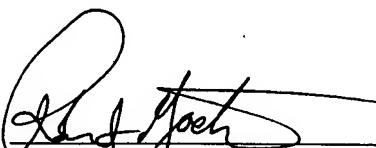
Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	20	-	49	0	X	50.00	\$0.00
Independent Claims	5	-	9	0	X	200.00	\$0.00

TOTAL DUE \$0.00

1. No fee is due at this time.
2. Please charge any deficiency in the payment of the required fee(s), including any fees necessary for extensions of time, or credit overpayment, to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

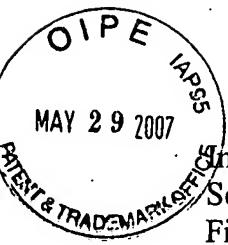
Dated: December 6, 2006

By:   
Robert A. Goetz  
Registration No. 55,210

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
608/218-6900

**PATENT**

Attorney Docket No. **KSURF-08401**

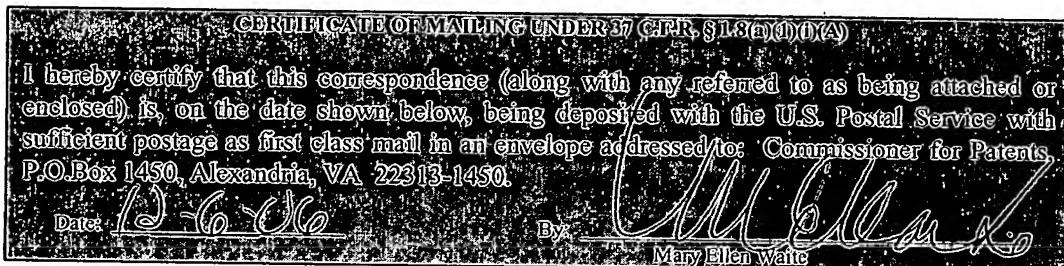


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mark L. Weiss  
Serial No.: 10/647,361 Group No.: 1632  
Filed: 08/25/2003 Examiner: Thaian Ton  
Entitled: **Cultures, Products and Methods Using Stem Cells**

**RESPONSE TO  
NOTICE OF NONCOMPLIANT AMENDMENT MAILED  
NOVEMBER 6, 2006**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Examiner Ton:

This communication is in Response to Notice of NonCompliant Amendment mailed November 6, 2006.



Serial No.: 10/647,361

MC File No.: K-SURF-8401

By: RAGHUVANSHI

In The Matter of the Application Of: WEISS

Date Mailed: 12-6-06

Due Date: 12-6-06

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

MELLO

DEC 11 2000